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STATE OF MICHIGAN
NATURAL RESOURCES COMMISSION
LANSING



REBECCA A. HUMPHRIES
DIRECTOR

RESUBMITTED: June 14, 2004
July 12, 2004
REVISED: August 2, 2004

Memorandum to the Natural Resources Commission:

SUBJECT: Waterfowl and Other Migratory Bird Hunting Regulations for 2004-2005

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Establishment and approval of hunting seasons for waterfowl and other migratory birds is controlled by the U.S. Fish and Wildlife Service (USFWS). Criteria for selection of the primary seasons were provided by the USFWS in late July.

Population and Season Conditions:

The Michigan goose harvest consists of primarily resident giant Canada geese and migrant Canada geese from the Mississippi Valley Population (MVP). Migrant geese from the Southern James Bay Population and the Tall Grass Prairie Population also make up a minor component of the harvest. The MVP is managed by the USFWS and Mississippi Flyway states using an annual quota system. Spring surveys this year found fewer breeding MVP geese than last year and production is expected to be very low, which has resulted in a more restrictive season in our MVP harvest zone compared to harvest opportunities last year. Numbers of SJBP Canada geese were near the long-term average and there are no changes in hunting opportunities for this harvest zone. The number of Michigan resident geese was estimated at 165,000 this spring, the lowest estimate in a decade. Local geese remain abundant, but the statewide population is now well below the record 325,000 spring estimate observed four years ago. Careful timing of the regular goose season has prevented over-harvest of migrant geese (i.e., exceeding allotted quotas), while better targeting giant Canada geese to control population growth.

Duck season length and daily limits are based largely on mallard population status and breeding waterfowl habitat conditions in the mid-continent Prairie and Parkland Regions. The relatively high number of mid-continent mallards and moderate count of Canadian ponds resulted in approval for a 60-day duck season like 2003. However, only about 20 percent of Michigan's duck harvest originates from the mid-continent, with the remainder coming from primarily Michigan and eastern Canada. Habitat conditions and duck breeding population size have changed relatively little in recent years for most duck species nesting in Michigan and Ontario, with the exception of mallards. The Michigan breeding waterfowl survey has revealed a steady and significant decline in mallards, with a 42 percent decline between 1998 and 2004 (567,000 to 329,000).

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Spring 2004 estimates for continental breeding populations for most duck species were near long-term population objectives; exceptions include canvasback, black ducks, lesser scaup, and pintails. Forecasts for duck production on the mid-continent prairie (the location most commonly used to index continental duck population trends) are fair to good this year. Most of Michigan's mallard and wood duck harvest is locally-produced and other species important to Michigan hunters, such as green-winged teal, black ducks, and buffleheads, are produced primarily in forested areas of eastern Canada. Michigan and northern Ontario have less productive, but more stable, waterfowl habitat conditions than the mid-continent prairie.

Season Goals:

Working with waterfowl hunters, the Department of Natural Resources (DNR) has identified the following goals for waterfowl regulations in Michigan:

- Maximize waterfowl hunting opportunity, especially for youths, by:
 - ensuring season dates encompass maximum bird numbers and abundant species; and
 - maximizing statewide hunter days.
- Distribute hunting effort to take advantage of waterfowl resources and reduce hunter crowding.
- Simplify regulations where possible.

We are expanding the use of USFWS, DNR, and National Oceanographic and Atmospheric Administration (NOAA) data to develop recommendations that better achieve these goals. Key information and analyses include:

- Hunter satisfaction/desires (DNR waterfowl hunter opinion surveys)
- Migration timing (DNR fall population surveys)
- Harvest timing (USFWS and DNR weekly harvest data)
- Hunter participation (DNR area use data)
- Hunter success (harvest/trip, DNR area harvest data)
- Weather (breeding habitat conditions, and freeze-up at various locations, NOAA data)
- Harvest composition (species occurrence, USFWS weekly harvest data).

Season Options:

Geese – The MVP quota for Michigan was established at the July Mississippi Flyway Council (MFC) meeting. The regular goose season framework must assure the MVP harvest quota is not exceeded while continuing to target goose harvest on local giants. The earlier regular-season structure used in recent years has achieved this goal, with the added bonus of targeting molt-migrant giants which typically arrive in Michigan (from Hudson Bay) between September 1-30. Molt migrants originating from urban areas are most vulnerable to hunting during this return flight in September.

The USFWS Regulations Committee has approved our request of a regular season opener as early as September 16, 2004. However, the Department is recommending an opener of September 20 based on feedback from the Citizens Waterfowl Advisory Committee (CWAC). We hope to provide days of overlap in the regular goose season and the duck season, which hunters have identified as a high priority. The goose limit during the regular season should remain at two-birds daily, consistent with established USFWS frameworks for the Mississippi Flyway. Because of the more restrictive season in the MVP harvest zone, the Allegan County and Muskegon Waste Water goose management units (GMUs) have shorter seasons and lower quotas than last year. There are no changes in the Saginaw County and Tuscola/Huron GMUs. This year, the regular goose season dates are the same for the Southern James

Bay Population (SJBP) Unit and the MVP Unit because the number of days allocated for both is 30. The season recommendations for blue, snow, Ross', white-fronted geese, and brant should be similar to last year. Maintaining the special late Canada goose season similar to recent years (starting 1st Saturday in January) would result in a season from January 1 to January 30, with a daily limit of five.

Michigan has completed the required 3-year evaluation of the experimental early Canada goose season in Huron, Tuscola, and Saginaw counties and is in compliance with special early season criteria. Analyses of morphological information from harvested birds indicated that approximately 97% of the harvest was composed of giant Canada geese over the three-year period. The USFWS Regulations Committee has approved our request to make the 1-10 September early Canada goose season within Huron, Tuscola, and Saginaw counties operational. The Department is recommending increasing the daily limit from 2 to 5-birds daily in Huron, Tuscola, and Saginaw Counties, which is consistent with established Federal frameworks for operational (e.g., non-experimental) early seasons.

Ducks – The USFWS offered a 60-day season and 6-duck daily limit based on an adaptive harvest management strategy using prairie pond numbers and mid-continent mallard populations as a guide to season length and daily duck limit. Wildlife Division developed the following duck season options based on feedback from the CWAC (Option 1) and the key information and analyses listed above (Option 2).

The USFWS has limited the season for canvasback and pintail ducks to 30 days within the overall 60-day duck season like 2003. The CWAC requested the pintail season the first 30 days of the regular duck season and the canvasback season to be the last 30 days of the season. The Department is recommending this for both Options 1 and 2.

- **Option 1** - North Zone – September 25 to November 21 and November 27-28
Middle Zone – October 2 to November 28 and January 1-2, 2005
South Zone – October 9 to December 5 and January 1-2, 2005
- **Option 2** - North/Middle/South Zones – September 25 to October 3 and October 9 to November 28

The daily duck limit offered by the USFWS is six. There are additional restrictions on some species that are heavily harvested (e.g., mallards) or whose populations are experiencing decline (e.g., canvasbacks, pintails, and scaup). The USFWS has retained the hen mallard daily limit at two. However, the Department is recommending again this year that the hen mallard limit in Michigan remain at one, as the Michigan mallard population and wetland abundance is well below average. A one-hen restriction will provide additional protection to Great Lakes mallards. Merganser, coot, and moorhen recommendations will be similar to last year. Waterfowl shooting hours are one-half hour before sunrise to sunset, the same as last year.

The USFWS has again offered a two-day special youth waterfowl hunt again this year, which is scheduled for the third weekend in September (18 and 19). The Department proposes that the Director be delegated authority to make adjustments in season dates, season lengths, daily limits, and GMU quotas to keep waterfowl harvests within Federal guidelines for the Flyway. The draft Federal guidelines will be available in August, and final guidelines will be posted in September.

Other Rule Changes:

The falconry season for migratory birds was adjusted to accommodate Michigan falconers (more duck hunting days later in the season) and to help simplify the complex Federal falconry-season setting process. Also, there is a rule change for Shiawassee River State Game Area to expand goose hunting opportunity. The restriction for morning only hunting on week days was removed.

Recommendation:

This order was submitted for information only at the July , 2004 meeting of the Natural Resources Commission. This item appeared in the July , 2004 Calendar and is eligible for approval on August 13, 2004. We are now recommending that it be acted upon at this meeting.

Douglas Reeves, Acting Chief
Wildlife Division

Alan Marble , Acting Chief
Law Enforcement Division

Mindy S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 13 of 2004

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective August 14, 2004, the following sections of the Wildlife Conservation Order shall read as follows:

3.413 Early September Canada goose season, daily limit, possession limit.

Sec. 3.413. During the early September Canada goose season, the daily limit shall be 5 Canada geese and the possession limit shall be 10 Canada geese.

3.415 Migratory birds; possession limit defined; open seasons.

Sec. 3.415. The migratory bird possession limit shall be twice the daily limit except that the possession limit for blue, snow, and Ross' geese shall be three times the daily limit. The migratory bird hunting open seasons shall be as follows:

Season and Species	Zone or Management Unit	Open Season
Ducks	North Zone	September 25 to November 21 and November 27 and 28
	Middle Zone	October 2 to November 28 and January 1 and 2
	South Zone	October 9 to December 5 and January 1 and 2
Pintails	North Zone	September 25 to October 24
	Middle Zone	October 2 to October 31
	South Zone	October 9 to November 7
Canvasbacks	North Zone	October 25 to November 21 and November 27 and 28
	Middle Zone	November 1 to November 28 and January 1 and 2
	South Zone	November 8 to December 5 and January 1 and 2
Merganser		Same dates as ducks in the respective zones.
Coots and Moorhens		Same dates as ducks in the respective zones.
Canada Goose (regular season)	North Zone	September 20 to October 10 and

		December 4 to December 12
	Middle Zone	September 20 to October 10 and December 4 to December 12
	South Zone – Southern James Bay Population Unit	September 20 to October 10 and December 4 to December 12
	South Zone – Mississippi Valley Population Unit	September 20 to October 10 and December 4 to December 12
	Tuscola/Huron GMU	October 9 to November 27 (or quota)
	Saginaw County GMU	October 9 to November 27 (or quota)
	Allegan County GMU	November 6 to November 14 and January 1 to January 16 (or quota)
	Muskegon W.W. GMU	October 26 to November 14 and December 2 to December 6 (or quota)
Canada Goose (special late season)	Southern Michigan Goose Management Unit as defined in section 12.700 of this order.	January 1 to January 30, 2005
Brant, Snow, White-fronted, and Ross' Geese	Statewide	September 20 to December 12

3.418 Goose management units, harvest quotas; department's wildlife chief to close season.

Sec. 3.418. (1) The following goose management units, described in sections 12.701 to 12.705 of this order, shall be open to goose hunting until the open seasons stipulated in section 3.415 of this order expire, or until the wildlife division chief determines that the following listed quota of Canada geese has been harvested:

- (a) Saginaw county goose management unit - quota of 2,000 Canada geese.
- (b) Allegan county goose management unit - quota of 1,500 Canada geese.
- (c) Muskegon wastewater goose management unit – the quota of 500 Canada geese.
- (d) Tuscola/Huron goose management unit - quota of 750 Canada geese.

(2) When the wildlife division chief determines that the quota of Canada geese for a management unit listed in this section has been harvested, the chief shall issue an interim order to close the goose hunting season in that unit.

3.422 Migratory birds, falconry, seasons; daily limit, possession limit.

Sec. 3.422. (1) The open season for taking migratory game birds by falconry shall be as follows:

Species	Open Seasons
Common snipe; Woodcock; Virginia and sora rails	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species
Geese	The open season for taking these species shall be the same dates as the firearm seasons in the respective zones and goose management units
Ducks; mergansers; coots and moorhens	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall also be open statewide from January 25 to March 10

(2) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 6 birds combined.

13.9 Shiawassee River state game area; rules.

Sec. 13.9. The following rules are established on those portions of the Shiawassee river state game area, Saginaw county, posted "State Game Area - Hunting by Permit Only" being all or portions of sections 13 to 16, 21 to 29, 32 to 35, T11N R3E; sections 2 to 4, 9 to 11, T10N R3E; and sections 11, 12, 14, 19, T11N, R4E:

(1) During the firearm deer season, a person hunting deer under a valid permit may use any gauge of shotgun but shall use only single ball or rifle slug loads.

(2) Persons issued a hunting permit for deer shall return that permit to the check station immediately upon completion of the hunting period for which it was valid or upon termination of deer hunting, whichever occurs first.

(3) Permits are only valid for the hunting zone for which they are issued.

(4) It shall be unlawful to camp or attempt to camp on designated parking areas or on any lands posted "State Game Area - Hunting by Permit Only" from October 1 to January 1.

(5) A person shall not take or attempt to take an animal in the Shiawassee river state game area at any time without a permit issued by the St. Charles field office of the department of natural resources except for spring turkey hunting and the early goose season.

Issued this 12th day of August, 2004.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director